

ATTACHMENT II
Text of Proposed Amendment to 19 TAC

Chapter 74. Curriculum Requirements

Subchapter BB. Commissioner's Rules Concerning High School Graduation

§74.1025. Individual Graduation Committee Review.

- (a) Effective beginning with the 2014-2015 school year, in accordance with the Texas Education Code (TEC), §28.0258, §101.3022 of this title (relating to Assessment Requirements for Graduation), and the course requirements in Chapter 74, Subchapter B, of this title (relating to Graduation Requirements), a school district or an open-enrollment charter school may award a high school diploma to a student who has taken but failed to achieve the end-of-course (EOC) assessment graduation requirements for no more than two courses if the student has qualified to graduate by means of an individual graduation committee.
- (b) A school district or an open-enrollment charter school shall establish an individual graduation committee at the end of or after a student's 11th grade year to determine whether the student may qualify to graduate. A student may not qualify to graduate as a result of an individual graduation committee decision before the student's 12th grade year.
- (c) A school district or an open-enrollment charter school may not establish an initial individual graduation committee for eligible students after June 10 or before the start of the next school year. Once the individual graduation committee has been established, it is the original individual graduation committee for that student.
- (d) In order for a student to be included as a graduate in the school district's or charter school's graduation data in the school year in which the student meets the requirements provided by law to graduate under individual graduation committee provisions, an individual graduation committee must make a decision to award a diploma no later than August 31 immediately following that school year. A student who graduates as a result of an individual graduation committee decision after August 31 shall be reported in the subsequent year's graduation data.
- (e) If a student leaves a school district after an original individual graduation committee has been established and before that original individual graduation committee awards a high school diploma to the student, any other district that later enrolls the student shall request information from the student's original individual graduation committee of record and shall implement the original individual graduation committee recommendations to the extent possible.
- (f) The individual graduation committee shall consist of the following:
 - (1) the principal or principal's designee;
 - (2) for each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;
 - (3) the department chair or lead teacher supervising the teacher described by paragraph (2) of this subsection; and
 - (4) as applicable:
 - (A) the student's parent or person standing in parental relation to the student;
 - (B) a designated advocate if the person described by subparagraph (A) of this paragraph is unable to serve; or
 - (C) the student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.
- (g) In the event that the teacher identified in subsection (f)(2) of this section is unavailable, the principal shall designate a teacher certified in the subject of the EOC assessment on which the student failed to perform

satisfactorily and who is most familiar with the student's performance in that subject area as an alternate member of the committee.

- (h) In the event that the individual identified in subsection (f)(3) of this section is unavailable, the principal shall designate an experienced teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is familiar with the content of and instructional practices for the applicable course.
- (i) ~~(h)~~ In the event that the student's parent or person standing in parental relation to the student is unavailable to participate in the individual graduation committee, the principal shall designate an advocate with knowledge of the student to serve as an alternate member of the committee.
- (j) ~~(i)~~ Each school district and open-enrollment charter school shall report through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) ~~(PEIMS)~~ the following:
 - (1) the number of students each school year for which an individual graduation committee is established; and
 - (2) the number of students each school year who are awarded a diploma based on the decision of an individual graduation committee.
- (k) ~~(j)~~ A district shall maintain documentation to support the decision of the individual graduation committee to award or not award a student a high school diploma.
- (l) ~~(k)~~ This section only applies to a student classified by the school district or open-enrollment charter school as an 11th or 12th grade student in the 2014-2015, 2015-2016, ~~[or]~~ 2016-2017, 2017-2018, or 2018-2019 school year.
- (m) ~~(l)~~ Provisions of this section expire September 1, 2019 ~~[2017]~~ . A student may graduate by means of an individual graduation committee if the student has qualified for an individual graduation committee under the TEC, §28.0258, and the individual graduation committee convened prior to September 1, 2019 ~~[2017]~~ .
- (n) ~~(m)~~ A student receiving special education services is not subject to the individual graduation committee requirements in the TEC, §28.0258, or the provisions of this section. As provided in §89.1070 of this title (relating to Graduation Requirements) and §101.3023 of this title (relating to Participation and Graduation Assessment Requirements for Students Receiving Special Education Services), a student's admission, review, and dismissal (ARD) committee determines whether a student is required to achieve satisfactory performance on an EOC assessment to graduate.